



**MCI Telecommunications
Corporation**

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Mary L. Brown
Senior Policy Counsel
Federal Law and Public Policy

EX PARTE OR LATE FILED

ORIGINAL

August 15, 1997

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, NW Room 222
Washington, DC 20554

Re: Ex Parte Presentation in CC Docket No. 97-137

Dear Mr. Caton:

On August 14, 1997, MCI submitted an ex parte reflecting its current understanding of Ameritech's position on our ability to order unbundled elements in combination. On August 15, 1997, Ameritech provided to MCI further clarification of its views. Attached for your convenience is MCI's ex parte letter and the letter we received from Ameritech today.

We wish to update the record to reflect Ameritech's current policy statement on combination of elements, and note that the letter raises several disturbing issues that directly affect MCI's ability to enter local markets. Based on our reading of the Ameritech letter, MCI would no longer be able to order simple combinations of loop and unbundled elements, which we have ordered in the past and Ameritech has processed.

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's rules.

Sincerely,

Mary L. Brown

Attachment

cc: Tom Boasberg (Office of Chairman Hundt)
Kathy Franco (Office of Commissioner Chong)
Jim Casserly (Office of Commissioner Ness)
Paul Gallant (Office of Commissioner Quello)
Carol Matthey (CCB)
Richard Metzger (CCB)
Blaise Scinto (CCB)
Melissa Waksman (CCB)
John Nakahata (OGC)

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Theodore A. Edwards
Vice President - Sales
Local Exchange Carriers

VIA FACSIMILE

August 15, 1997

Therese K. Fauerbach
Vice-President/Executive Director
Central Region Financial Operations
MCI Telecommunications Corporation
8750 West Bryn Mawr
Suite 1010
Chicago, IL 60631

Dear Therese:

This letter is in response to your August 8, 1997 letter to Neil Cox. As Neil discussed with you on August 4, Ameritech believes that those sections of the Interconnection Agreements that require Ameritech to combine the individual Network Elements that comprise a Network Element Combination are inconsistent with the recent decision of the U.S. Court of Appeals for the Eighth Circuit. Ameritech will seek modification of the Interconnection Agreements to reflect that decision, consistent with the terms of those Interconnection Agreements.

However, for the reasons stated below, Ameritech does not believe that MCI has properly placed orders for what MCI calls the "Network Element Platform" under the existing terms of the Interconnection Agreements between our companies. As you know, the Interconnection Agreements, Section and Schedule 9.3.4, require Ameritech to provide three types of Network Element Combinations. The "Network Element Platform" Combination that MCI has ordered is not one of the three Network Element Combinations listed on Schedule 9.3.4. From what Ameritech can determine from MCI's order, MCI has ordered only two unbundled Network Elements, the Loop and Unbundled Local Switching. Thus, MCI's "Network Element Platform" order is not the first listed Combination, Unbundled Network Element Platform with Operator Services and Directory Assistance, since MCI has ordered only two of the listed Network Elements required under that Combination. Because the second combination does not contain Unbundled Local Switching, and the third combination does not contain a Loop Network Element, MCI's orders are not orders for either of those Combinations. For that reason, MCI's orders for its "Network Element Platform" are inconsistent with the Interconnection Agreements and cannot be processed at this time.

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Therese K. Fauerbach
August 15, 1997
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In addition, MCI has not identified the method it will use to access Ameritech's Network Elements, as is required in Section 9.1.1 of the Interconnection Agreements. Nor has MCI provided information about the Network Elements (e.g., type of service and engineering and routing characteristics) that MCI is required to provide pursuant to Section 1.1 of Schedule 9.5 of the Interconnection Agreements.

Ameritech will promptly process MCI's properly-placed orders for Network Elements consistent with the terms of the Interconnection Agreements. If MCI needs assistance in this regard, please call me or MCI's Account Director, Dora Ross, and we will be glad to provide such assistance.

Sincerely,



Theodore A. Edwards

cc: Neil E. Cox



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August 14, 1997


William F. Caton
Acting Secretary
Federal Communications Commission
1919 M St NW Room 222
Washington, D.C. 20554

Re: Ex Parte Presentation in CC Docket No. 97-137

Dear Mr. Caton:

MCI is submitting the attached letter in response to a request from Commissioner Ness's office. The letter reflects MCI's current understanding of Ameritech's position that the recent decision in Iowa Utilities Board v. FCC permits Ameritech to refuse future orders for combinations of elements. The "platform" orders referenced in the letter are orders that MCI has submitted for combinations of elements that are ordinarily and routinely offered by Ameritech to its customers. Despite our request for a letter that would confirm our understanding, Ameritech has not yet responded.

Sincerely,



Mary L. Brown

cc: James Casserly (Commissioner Ness's office)
Tom Boasberg (Chairman Hundt's office)
Paul Gallant (Commissioner Quello's office)
Kathleen Franco (Commisisoner Chong's office)
Carol Matthey (CCB)
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Therese K. Fauerbach
Vice President/Executive Director
Central Region Financial Operations

August 8, 1997

Neil Cox
President of A.I.I.S.
Ameritech
350 N. Orleans
3rd Floor
Chicago, IL 60654

SENT VIA FAX

Dear Neil:

At our 8/4/97 MCI/AIIS bi-weekly executive meeting, you raised the status of MCI's Network Platform Orders. I understood you to explain that based upon the recent 8th Circuit Court order, AIT/AIIS would no longer accept and process MCI's Network Platform orders. This letter is to confirm my understanding that Ameritech's policy, as of 8/4/97, is that no new platform orders will be accepted.

To the extent this statement of Ameritech's policy is not correct, I request a written response that provides a corrected and complete position statement. I would appreciate a prompt response by Wednesday, August 13, 1997.

Sincerely,

Therese K. Fauerbach / tk

TKF/ck

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